



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Hoisting Machine Operators Advisory Board
830 Punchbowl Street
Honolulu, Hawaii 96814
PH: (808) 521-3019 Fax: (808) 585-0422

Board Members
Allan Parker, Chair
Roy Akamine
Ernest Balatincz
Ralph Cushnie
Tom Vendetta

Lora Contreras,
Executive Director

Approved 11-15-05

Hoisting Machine Operator's Advisory Board Minutes
Tuesday, October 18, 2005
1:00 p.m.
Department of Labor & Industrial Relations Office
HIOSH Training Room
830 Punchbowl Street #425
Honolulu, Hawaii 96814

Members in Attendance: Allan Parker, Roy Akamine, Tom Vendetta, Ralph Cushnie and Ernest Balatincz.

Guests: James Hardway, DLIR AA; Herbert Lau, Deputy AG; Danny Nelson, Local 3; and Lora Contreras, HMOAB.

Call to order: Quorum was met. The meeting was called to order by Chair Parker at 1:05 p.m.

Minutes of September 20, 2005, were approved as circulated.

Roy Akamine moved, seconded by Tom Vendetta to approve the minutes. Motion approved unanimously.

Community Concerns: None

Amendment to HMOAB Administrative Rules

Mr. James Hardway informed the board that the amendment submitted to the AG's office was temporarily on hold. Any changes to the State approved Hawaii Occupation Safety and Health Law must have Federal OSHA's approval. The last approval was in 1984 and the Hoisting Machine amendments were not included, making the recent changes unenforceable. DLIR will work with Federal OSHA to have the State Plan approved with the Hoisting Machine rule changes. If approved, there is no need for special penalties, as the penalties will follow standard HIOSH penalties. Also, OSHA does not penalize individuals, so our proposed penalties cannot include operator penalties.

James Hardway mentioned legislative changes, informing the Board that there is another option to Federal OSHA approval of a revised State Plan that would include a section on Hoisting Machines. In this case, the Rules would

be repealed and the Legislature would pass a Bill to include what is now in the Rules into Law (the Hawaii Revised Statutes, HRS). Currently, HRS §396-19 only creates the Board and gives the authority to adopt rules for certification of hoisting machine operators.

Tower Crane Certification

Mr. Danny Nelson, Local 3 Certification and Test Examiner explained to the board that his testing on tower crane operators require passing a written and a specialty mobile crane. Class hours are valuable and the operator must maintain the hook, be aware of the safety rules and able to read and use their load chart. The operator's identify that tower schooling is excellent. Other recommendations were discussed such as: 1) if operator's have more than 5 years experience on other cranes they may just need a letter from their employer; 2) test times be as minimum as ½ hour; 3) having basic knowledge of what the crane can do and be tested on a different course and 4) test on a mobile crane since its harder to operate than a tower crane.

Ralph Cushnie moved, seconded by Ernest Balatinicz to amend and include tower crane testing in the administrative rules.

Director's Report: No crane accidents had been reported.

New Business: None

Unfinished Business: None

Executive Session: None

Correspondence: Email from James Hardway to complete justification for continued implementation of administrative rules.

Announcements: Next board meeting Tuesday, December 20, 1:00 pm.

Adjournment: Chair Parker adjourned the meeting at 2:12 p.m.

HANDOUTS: None